

# **EXHIBIT 3**

Nos. 19-4074/4075

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**FILED**

Jan 20, 2021

DEBORAH S. HUNT, Clerk

IN RE: DEPUY ORTHOPAEDICS, INC. ASR HIP IMPLANT  
PRODUCTS LIABILITY LITIGATION.

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19-4074

ANDREA K. DRAKE; WILLIAM S. DRAKE,

Plaintiffs-Appellees,

v.

DEPUY ORTHOPAEDICS, INC., et. al.,

Defendants,

STEVEN M. JOHNSON, D/B/A THE JOHNSON LAW FIRM,

Petitioner-Appellant.

19-4075

STEVEN M. JOHNSON,

Petitioner-Appellant,

v.

WILLIAM S. DRAKE,

Respondent-Appellee.

O R D E R

**BEFORE:** GUY, CLAY, and KETHLEDGE, Circuit Judges.

The court received a petition for rehearing en banc. The original panel has reviewed the petition for rehearing and concludes that the issues raised in the petition were fully considered

upon the original submission and decision of the cases. The petition then was circulated to the full court.\* No judge has requested a vote on the suggestion for rehearing en banc.

Therefore, the petition is denied. Judge Clay would grant rehearing for the reasons stated in his dissent.

**ENTERED BY ORDER OF THE COURT**

A handwritten signature in black ink, appearing to read "Deborah S. Hunt", written in a cursive style.

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Deborah S. Hunt, Clerk

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\* Judges Sutton, White, and Bush recused themselves from participation in this ruling.

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt  
Clerk

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Filed: January 20, 2021

Mr. Derek Irwin Stewart  
Meshbeshier & Spence  
1616 Park Avenue  
Minneapolis, MN 55404

Re: Case No. 19-4074/19-4075, *Andrea Drake, et al v. DePuy Orthopaedics, Inc., et al*  
Originating Case No.: 1:13-dp-20140

Dear Mr. Stewart,

The Court issued the enclosed Order today in these cases.

Sincerely yours,

s/Beverly L. Harris  
En Banc Coordinator  
Direct Dial No. 513-564-7077

cc: Mr. Robert Dolan Akers  
Ms. Marla Broaddus  
Mr. Andrew L. Davick  
Mr. Michael Truesdale

Enclosure